

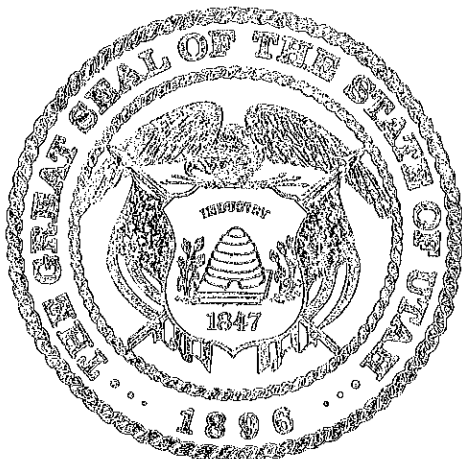


OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF ANNEXATION

I, SPENCER J. COX, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of annexation from CITY OF PROVO, dated February 13th, 2014, complying with Section 10-2-425, Utah Code Annotated, 1953, as amended.

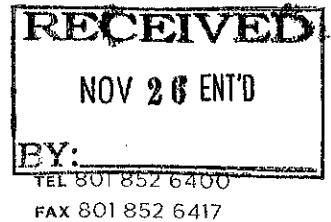
NOW, THEREFORE, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of annexation, referred to above, on file with the Office of the Lieutenant Governor pertaining to CITY OF PROVO, located in Utah County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 2nd day of December, 2014 at Salt Lake City, Utah.

A handwritten signature of Spencer J. Cox.

SPENCER J. COX
Lieutenant Governor



330 WEST 100 SOUTH
P.O. BOX 1849
PROVO, UT 84603

November 17, 2014

Honorable Spencer J. Cox
Lieutenant Governor
Utah State Capitol Complex, Suite #220
PO Box 142325
Salt Lake City, UT 84114-2325

RE: Notice of Annexation/File #12-0008A

To Whom It May Concern:

The City of Provo and the Utah County Recorder's office respectfully request the Lieutenant Governor's issuance of a Certificate of Annexation under Section 67-1a-6.5 of the Utah State Code, as pertaining to the impending Annexation.

The lands to be annexed, are located approximately 2000 South and Tracy Hall Parkway, are described more exactly on the attached final local entity plat. Also attached, are the certified copies of the respective ordinance approved by the Provo Municipal Council (2014-04).

Through this notice, I hereby verify all noticing, ordinance, and mapping requirements applicable to the annexation process, as required through Sections 10-2-403 - 406, 408, 415, 425, and 67-1a-6.5 of the Utah State Code, have been met.

If you have any questions regarding this letter, please contact me at (801) 852-6407.

Sincerely,
COMMUNITY DEVELOPMENT DEPARTMENT

A handwritten signature in black ink, appearing to read "Sean Allen".

Sean Allen
City Planner

COMDEV.PROVO.ORG

ORDINANCE 2014-04

SHORT TITLE:

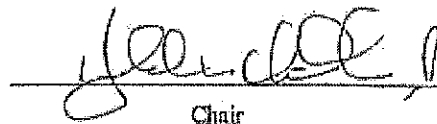
An ordinance (a) annexing into Provo City approximately 3.59 acres of real property; (b) amending the Zone Map classification of approximately 1.53 acres of to the Planned Industrial Community (PIC) zone; and (c) amending the Zone Map classification of approximately 2.06 acres to the One-Family Residential 20,000 Square Foot Minimum lot (R1.20) zone approximately located at 2055 South Tracy Hall Parkway.

PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL

DISTRICT	NAME	MOTION	SECOND	FOR	AGAINST	OTHER
CW 1	DAVID SEWELL			✓		
CW 2	GARY GARRETT			✓		
CD 1	GARY WINTERTON	✓		✓		
CD 2	KIM SANTIAGO				✓	
CD 3	HAL MILLER			✓		
CD 4	KAY VAN BUREN		✓	✓		
CD 5	STEPHEN HALES			✓		
TOTALS				6	1	0

This ordinance was passed by the Municipal Council of Provo City, on the 21st day of January, 2014 on a roll call vote as described above. Signed this 13th day of February, 2014.



Chair

II

APPROVAL BY MAYOR

ORDINANCE 2014-04

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was recorded in the office of the Provo City Recorder on the 13 day of February 2014, with a short summary being published on the 25 day of January 2014, in The Daily Herald, a newspaper circulated in Provo, Utah. I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Ordinance Number 2014-04.



Signed this 13 day of February 2014.

Janeen Weiss
City Recorder

ORDINANCE 2014-04.

AN ORDINANCE (A) ANNEXING INTO PROVO CITY APPROXIMATELY 3.59 ACRES OF REAL PROPERTY; (B) APPLYING THE PLANNED INDUSTRIAL COMMUNITY (PIC) ZONE MAP CLASSIFICATION TO APPROXIMATELY 1.53 ACRES LOCATED GENERALLY AT 2055 SOUTH TRACY HALL PARKWAY; AND (C) APPLYING THE ONE-FAMILY RESIDENTIAL 20,000 SQUARE FOOT MINIMUM LOT (R1.20) ZONE MAP CLASSIFICATION TO APPROXIMATELY 2.06 ACRES LOCATED GENERALLY AT 1600 EAST 2000 SOUTH. SPRING CREEK NEIGHBORHOOD. (12-0008A)

WHEREAS, the Owner (Utah Tennessee Holding Company LLC) of real property located generally at 2055 South Tracy Hall Parkway has submitted a petition to annex to Provo City approximately 1.53 acre of property ("Petitioner's Property") as described more fully on Exhibit "B"; and

WHEREAS, the annexation petition was deemed accepted as provided in Section 10-2-405(1)(a)(i)(B) of the Utah Code; and,

WHEREAS, Provo City is desirous to annex approximately 2.06 acres of adjacent property owned by Pacific States Cast Iron Pipe Company ("Pacific States") located generally at 1600 East 2000 South Street (the "Pacific States' Property") as described more fully on Exhibit "B"; and

WHEREAS, Pacific States has indicated in a letter dated August 28, 2013 that they have no objection to the City annexing their property south of 2000 South Street as described more fully on Exhibit "B"; and

WHEREAS, an Annexation Plat has been prepared describing incorporation of the Petitioner's Property and Pacific States' Property as described in the attached Exhibit "A"; and

WHEREAS, applicable requirements of Chapter 10-2, et seq., of the Utah Code have been met; and

WHEREAS, the proposed annexation helps complete the Provo City Annexation Policy Plan as contained in the General Plan; and

WHEREAS, as required by Section 15.15.040 of the Provo City Code, the City's staff review committee evaluated the proposed annexation and has no objections to the annexation of the Property; and,

WHEREAS, on December 11, 2013 the Planning Commission held a duly noticed public hearing to consider the annexation petition and after such hearing the Planning Commission recommended to the Municipal Council that the Property be annexed as proposed; and

WHEREAS, Section 10-9a-506(1) of the Utah Code requires the Municipal Council to

48 assign a land use zone or a variety thereof to territory annexed to the City at the time the territory
49 is annexed; and

50
51 WHEREAS, the General Plan Land Use Classification for the Petitioners' Property is
52 identified as Industrial and the Pacific States' Property is identified as Residential; and

53
54 WHEREAS, Community Development Staff recommends the application of the Planned
55 Industrial Community (PIC) zone to the Petitioner's Property and the One-family Residential
56 20,000 square foot lot minimum (R1.20) zone to Pacific States' Property on basis of their
57 compatibility with surrounding land uses and the intent of the General Plan; and

58
59 WHEREAS, on January 21, 2014 the Municipal Council held a duly noticed public
60 hearing to receive public comment and ascertain the facts regarding this matter, which facts and
61 comments are found in the hearing record; and

62
63 WHEREAS, after considering the recommendation of the Community Development
64 Staff, the Planning Commission and facts and comments presented to the Municipal Council, the
65 Council finds (i) approximately 1.53 acre of real property located generally at 2055 South Tracy
66 Hall Parkway as described in the attached Exhibit "B" and approximately 2.06 acres of adjacent
67 property owned by Pacific States Cast Iron Pipe Company located generally at 1600 East 2000
68 South Street as described in the attached Exhibit "B" should be annexed, and (ii) such action
69 reasonably furthers the health, safety, and welfare of the citizens of Provo.

70
71 NOW, THEREFORE, be it ordained by the Municipal Council of Provo City, Utah, as
72 follows:

73
74 PART I:

75
76 The Petitioner's Property and Pacific States' Property located generally at 2055 South
77 Tracy Hall Parkway and 1600 East 2000 South Street is hereby annexed to the City of Provo,
78 Utah as described in the attached Exhibit "A."

79
80 PART II:

81
82 The Petitioner's Property described in the attached Exhibit "B" located generally at 2055
83 South Tracy Hall Parkway is hereby zoned Planned Industrial Commercial (PIC) as set forth in
84 Chapter 14.29 of the Provo City Code.

85
86 PART III:

87
88 The Pacific States' Property described in the attached Exhibit "B" located generally at
89 1600 East 2000 South Street is hereby zoned One-family Residential 20,000 Square Foot
90 Minimum Lot (R1.20) as set forth in Chapter 14.10 of the Provo City Code.

91
92
93 PART IV:

- 94
- 95 A. If a provision of this ordinance conflicts with a provision of a previously adopted
- 96 ordinance, this ordinance shall prevail.
- 97
- 98 B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be
- 99 severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or
- 100 invalid, the remainder of the ordinance shall not be affected thereby.
- 101
- 102 C. The Municipal Council hereby directs that the official copy of the Provo City Code be
- 103 updated to reflect the provisions enacted by this ordinance.
- 104
- 105 D. This ordinance shall take effect immediately after being posted or published as required
- 106 by law.
- 107

108 END OF ORDINANCE.

109

Exhibit "A"
Annexation Legal Description

Champion Safe Annexation Legal Description

Commencing at a point located South 00°47'24" East along the Section line 1476.33 feet and East 1499.12 feet from the West quarter corner of Section 17, Township 7 South, Range 3 East, Salt Lake Base and Meridian; thence North 63°02'25" East 203.29 feet; thence along the arc of a 2010.68 foot radius curve to the left 372.80 feet (chord bears North 57°43'4 4" East 372.27 feet); thence North 52°25'02" East 81.03 feet more or less to the Westerly boundary line of State Road 89; thence along said State Road 89 as follows: along the arc of a 1000.00 foot radius curve to the left 99.84 feet (chord bears South 41°30'29" East 99.80 feet), thence South 44°22'06" East 94.87 feet more or less to the Northeast corner of Plat "A" Revised Billings Technology Park Subdivision; thence South 51°29'59" West along said subdivision 334.91 feet; thence along the arc of a 819.93 foot radius curve to the left 353.06 feet (chord bears South 35°5 4' 12" West 350.34 feet); thence along the arc of a 3402.96 foot radius curve to the left 370.84 feet (chord bears North 37°23'47" West 370.66 feet) more or less to the Easterly boundary line of Denver and Rio Grande Rail road property more or less to the point of beginning. Area = 156,301 sq.ft. or 3.59 Acres.

Basis of bearing is South 00°47'24" East along the Section line from the West quarter of Section 17 to the Southwest corner of said 17.

Exhibit "B"
Description of Parcels to be Rezoned

